REMARKS

Claims 1-21 are pending and are subject to restriction by the Examiner.

Claims 9, 10, and 17-21 are withdrawn in view of Applicants' restriction election.

Claims 1, 2, 4-8, 11,14, 15, and 16 have been voluntarily amended herein.

Initial Group election

The Examiner is requesting an initial restriction election of one Group of claims from among Groups I-III as follows:

Group I (claims 1-16, in part): Drawn to methods for characterizing a cell proliferative disorder of the breast by determining methylation status of a gene or group of genes listed in the claim (this group is subject to further restriction).

Group II (claims 17, 18, 20 and 21, in part): Drawn to an oligomer or PNA, at least 10 or 18 bases in length, and kit comprising such, selected from SEQ ID NOS 206-449 (this group is subject to further restriction).

Group III (claims 19-21, in part): Drawn to a set of least 2 oligonucleotides as set forth in claim 18, and kit comprising such, selected from SEQ ID NOS 206-449 (this group is subject to further restriction).

Applicants herein elect Group I (claims 1-16).

Additional Restriction Requirement Applicable to Group I Election

The Examiner is further requesting, in view of the Group I election, that Applicants further elect one or a combination of structurally and functionally different and distinct nucleic acids/SEQ ID NOS.

Applicants herein further elect the nucleic acid corresponding to the PITX2 gene, ***with traverse***.

Claims that read on the elected invention at least include: claims 1-8 and 11-16.

The basis of Applicants' traversal is as follows:

First, as can be seen in Table 1 (at page 119) and the Sequence Listing of the originally filed specification, SEQ ID NOS:250, 251, 372, and 373 correspond to chemically-treated (bisulfite) versions of the PITX2 gene sequence (SEQ ID NO:23), wherein SEQ ID NOS:250 (sense) and 251 (antisense) correspond to treated sequences wherein the CpG dinucleotides of SEQ ID NO:23 are methylated, and wherein SEQ ID NOS:372 (sense) and 373 (antisense) correspond to treated sequences wherein the CpG dinucleotides of SEQ ID NO:23 are unmethylated. Thus, SEQ ID NOS:250, 251, 372, and 373 are *bisulfite-converted sequences*, corresponding to genomic SEQ ID NOS:23 (PITX2), and should be included for examination along with SEQ ID NOS:23, as the patentability of claims limited by these SEQ ID NOS will be determined based on the novelty of analysis based on the genomic sequence region SEQ ID NOS:23 for the claimed indications. Applicants point out that it has been the consistent practice of the Office to include the bisulfite-converted sequences along with the corresponding genomic sequence(s) for purposes of examination.

In summary of the above election, therefore, Applicants respectfully request that SEQ ID NOS:23, and corresponding bisufite-converted SEQ ID NOS: 250, 251, 372, and 373 be grouped together for examination.

Voluntary Claim Amendments

The claims have been amended herein conform with Applicants' restriction election and further clarify the claimed subject matter.

No new matter has been added.

Conclusion

In view of the foregoing remarks and amendments, Applicants respectfully request entry of the present Response and Preliminary Amendment. The Examiner is encouraged to phone Applicants' attorney, Barry L. Davison, to resolve any outstanding issues and expedite allowance of this application.

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